

ORDINANCE NO. 165 N. S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES REGULATING
THE BUSINESS OF PRIVATE PATROL SYSTEM AND PRIVATE PATROL
WATCHMEN, AND PROVIDING FOR PENALTY FOR
VIOLATION THEREOF.

THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: (a) For the purposes of this Ordinance, a "private patrol system" is hereby defined as any business which purports to furnish or does furnish any private policeman, watchman or guard to patrol any territory, or to guard or watch property of another person, in the City of El Paso de Robles.

(b) For the purposes of this ordinance, a "private patrol watchman" is hereby defined as any individual who patrols any territory, or guards or watches property of another person, within the City of El Paso de Robles, and who is employed by a person holding a private patrol system permit or who himself holds a permit to operate a private patrol system, and who holds a permit as required by this Ordinance.

(c) For the purposes of this Ordinance, the word "person" shall be held and construed to mean and include natrual persons of either sex, firms, associations, co-partnerships and corporations. The singular shall include the plural and the masculine shall include the feminine.

SECTION 2: That it shall be unlawful for any person, firm or corporation, either as principal, agent, employee or otherwise, to engage in the business of watching or patrolling for compensation two or more business establishments or residential or other premises within the City of El Paso de Robles, without first having obtained a permit as herein provided.

SECTION 3:(a)Any person, firm or corporation desiring to obtain a permit to operate a private patrol system shall make application therefor to the City Council of the City of

El Paso de Robles. The application shall be verified under oath and shall set forth:

The name, age, business address, residences and citizenship of the applicant if a natural person; or if a corporation, its name, date and place of incorporation, address of its principal place of business, and the names of its principal officers, together with their respective addresses; or if a partnership, association or unincorporated company, the names of the partners, or the persons comprising the association or company, with the place of business and residence of each such partner or person. Said application shall also give the past experience of the applicant in the matter to which the permit applies and the name, address and past experience of the person to be in charge of the business, and shall be accompanied by the fingerprints of the applicant, or if the applicant be a partnership, the fingerprints of all the partners, or if the applicant be a firm or corporation, the fingerprints of all of the officers of said firm or corporation.

(b) Immediately upon receiving such application, the Chief of Police of the City of El Paso de Robles shall make an investigation of the applicant and shall report the results of said investigation to the City Council of the City of El Paso de Robles.

(c) The City Council of the City of El Paso de Robles shall deny said application, if it shall appear to its satisfaction that the applicant or its partners or principal officers have been convicted of a felony, have been convicted of a violation of any narcotic law or any penal law involving moral turpitude. Further, the City Council may deny the granting of any such permit, if in its sole discretion, it determines there is insufficient public need or demand for the services of a private watch or patrol service.

(d) Should the City Council of the City of El Paso de Robles grant a permit to applicant to engage in the business

or occupation of a private patrol system, it shall do so upon the condition that applicant, before engaging in such business, shall deposit with the City Clerk of the City of El Paso de Robles a good and sufficient bond in the amount of ~~Five~~^{Two} Thousand Dollars (\$2,000.00) as a guarantee that applicant will faithfully perform each and all of its duties to the customers, patrons or subscribers of applicant and to the general public, said bond to inure to the benefit of the City of El Paso de Robles and of any person injured in person or property by licensee or by any of the agents or employees of licensee; provided, however, that only one such bond need be filed where such bond is made to cover the activities of the agents or employees of the applicant.

SECTION 4: That a license fee of \$ 24.00 per year shall be charged each licensee, which said license fee shall be due and payable to the City Clerk of the City of El Paso de Robles annually in advance, and shall be payable by each person, firm or corporation from whom a permit is required under the provisions of this ordinance; provided, however, that nothing herein contained shall be construed as requiring any license fee from any agent or employee of any person, firm or corporation duly licensed and bonded under this Ordinance.

SECTION 5: That the City Council retains the right to revoke, for any cause which said City Council deems adequate, any permit before the expiration of same.

SECTION 6: That all permits granted shall be for one year only, subject to prior revocation by the City Council, and shall be renewable at the expiration of same subject to the same condition.

SECTION 7: It shall be unlawful for any person to be employed as a private watchman or private patrolman by any licensed private patrol system in the City of El Paso de Robles unless said individual has obtained a permit from the Chief of Police of said City. The application of such private watchman or patrolman shall be made to the Chief of Police of said City

and shall be in writing under oath. Such application shall set forth the name, age and address of applicant, his past experience as a private watchman or patrolman, the names and addresses of his employers during the preceeding Five years; said application shall be accompanied by applicant's fingerprints. The Chief of Police shall forthwith make an investigation of said applicant as a private watchman or patrolman. Said application may be denied upon substantial evidence of moral deficiencies of said applicant which in the sound discretion of the Chief of Police would render said applicant incompetent to act as a private watchman or private patrolman.

SECTION 8: (a) The Chief of Police shall have the power to revoke or suspend any permit for any private watchman or private patrolman should he be found guilty of a violation of any of the provisions of this Ordinance, or otherwise, if in the sound discretion of the Chief of Police, applicant is not a competent person to act as a private watchman or private patrolman.

(b) In the event of such revocation or suspension, a written notice shall be given to such private watchman or private patrolman and a time for hearing shall be set before the City Council of the City of El Paso de Robles. Said notice shall be delivered by United States Mail, addressed to said licensee at the address contained in said application, at least Ten days prior to said hearing. At said hearing said licensee shall appear and show cause why his permit as a private watchman or patrolman shall not be revoked or suspended, and the City Council shall thereupon have power over all issues relating to the revocation or suspension of said permit.

SECTION 9: It shall be unlawful for any person, firm or corporation to carry on the business of a private watch or private patrol system within the City of El Paso de Robles without first securing the license as herein provided in this Ordinance and it shall further be unlawful for any individual

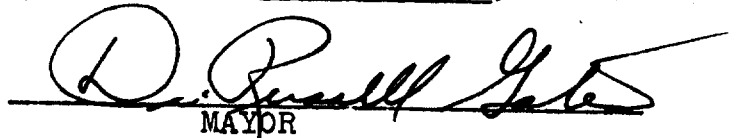
to act as a private watchman or patrolman either as an employee or agent of the licensee, without securing an individual permit.

SECTION 10: That any person, firm or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the City Jail of the City of El Paso de Robles, or in the County Jail of San Luis Obispo County, California, as the committing magistrate may direct, for a period of not more than Ninety (90) days, or by both such fine and imprisonment in the discretion of the Court. Such person, firm or corporation shall be guilty of a separate offense for every day during any portion of which any violation of any provision of this Ordinance is committed, continued or permitted by such person, firm or corporation, and shall be punishable therefor as provided in this Ordinance.

SECTION 11: That this Ordinance is an Ordinance affecting the public peace, health and safety and shall be in full force and effect immediately upon the adoption thereof. The facts constituting its urgency are as follows:

That this City Council is informed that there is an agency that is about to commence the operation in the City of El Paso de Robles of a private watch or patrol system. That said business or activity is such which requires regulation by the City Council of the City of El Paso de Robles from its inception since it involves services normally performed by the Police Department of said City and such business is related to the public peace and safety.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 17th day of December, 1951.


MAYOR


CITY CLERK

STATE OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
CITY OF EL PASO DE ROBLES

} SS.


I, S. S. Tucker, City Clerk of the City of
El Paso de Robles, California, do hereby certify that the foregoing Ordinance
No. 165, N.S. was duly and regularly adopted, passed, and approved by the City
Council of the City of El Paso de Robles, California, at a regular meeting of said City
Council held at the regular meeting place thereof, on the 17th day, of December
1951, by the following vote:

AYES: Councilmen Gates, Gerst, Ottoson, Smart and Thurlby

NOES: Councilmen None

ABSENT: Councilmen None

Dated this 17th day of December, 1951


City Clerk and Ex-Officio Clerk of the City Council,
City of El Paso de Robles, State of California.